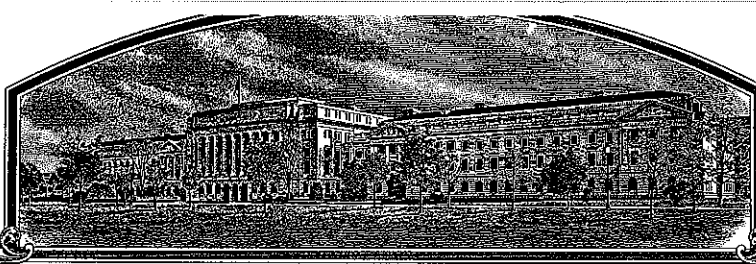


No.

200500054



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Brotherton Seed Co., Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'Jumpstart'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this ninth day of April, in the year two thousand and seven.

Attest:

*Commissioner*  
*Plant Variety Protection Office*  
*Agricultural Marketing Service*

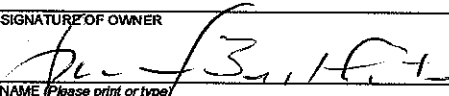
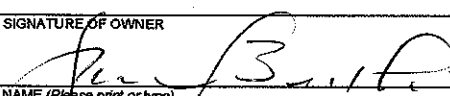
*Secretary of Agriculture*

**U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE**

**APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE**  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

<b>1. NAME OF OWNER</b>  Brotherton Seed Co., Inc.		<b>2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME</b>  FR 309		<b>3. VARIETY NAME</b>  JUMPSTART			
<b>4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)</b>  451 S. Milwaukee Ave. PO Box 1136 Moses Lake, WA 98837		<b>5. TELEPHONE (include area code)</b>  (509) 765-1816		<b>FOR OFFICIAL USE ONLY</b>  <b>PVPO NUMBER</b> <div style="font-size: 2em; font-weight: bold;">200500054</div>  <b>FILING DATE</b>  January 6, 2005			
<b>7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.)</b>  Corporation		<b>8. IF INCORPORATED, GIVE STATE OF INCORPORATION</b>  WA				<b>6. FAX (include area code)</b>  (509) 765-1817	
<b>9. DATE OF INCORPORATION</b>  February 1, 1955		<b>10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)</b>  Jerome Brotherton PO Box 1136 Moses Lake, WA 98837					
<b>11. TELEPHONE (include area code)</b>  (509) 765-1816		<b>12. FAX (include area code)</b>  (509) 765-1817		<b>13. E-MAIL</b>  info@brothertonseed.com			
<b>14. CROP KIND (Common Name)</b>  Pea		<b>16. FAMILY NAME (Botanical)</b>  Leguminosac		<b>18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL)</b>  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.			
<b>15. GENUS AND SPECIES NAME OF CROP</b>  Pisum Sativum L.		<b>17. IS THE VARIETY A FIRST GENERATION HYBRID?</b>  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<b>20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)</b>  <input type="checkbox"/> YES (if "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (if "no", go to item 23)			
<b>19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)</b> a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		<b>21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES?</b>  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		<b>22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?</b>  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)			
<b>23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?</b>  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		<b>24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)?</b>  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)					
<b>25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.</b>  The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.  Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.							
<b>SIGNATURE OF OWNER</b>  <b>NAME (Please print or type)</b> Jerome Brotherton		<b>SIGNATURE OF OWNER</b>  <b>NAME (Please print or type)</b> Jerome Brotherton					
<b>CAPACITY OR TITLE</b> President		<b>DATE</b> 12/28/2004		<b>CAPACITY OR TITLE</b> President			
<b>DATE</b> 12/28/2004		<b>DATE</b> 12/28/2004					

(See reverse for instructions and information collection burden statement)

## INSTRUCTIONS

200500054

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvpindex.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

## ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;  
(2) the details of subsequent stages of selection and multiplication;  
(3) evidence of uniformity and stability; and  
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:  
(1) identify these varieties and state all differences objectively;  
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and  
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See *Regulations and Rules of Practice*, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

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**22. CONTINUED FROM FRONT** (Please provide a statement as to the limitation and sequence of generations that may be certified.)

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**23. CONTINUED FROM FRONT** (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

The first such act for JUMPSTART was a sale dated February 29, 2004 to Hermiston Foods in Hermiston, Oregon, USA.

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**24. CONTINUED FROM FRONT** (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

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**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

## Exhibit A

### Origin and Breeding History of JUMPSTART

JUMPSTART was selected from the cross SPRING/28015//BUNNY/BARETTE. The SPRING/28015 parent was a line in the F7 generation and the BUNNY/BARETTE parent was a selection at the F4. The breeding line, 28015, was developed by van Waveren Pflanzenzucht, using DART as one parent.

The initial crossing and selection were done by Irena Weil, plant breeder for van Waveren at Rosdorf in Germany. In February of 1993, Brotherton Seed Co purchased the germplasm and breeding program of Van Waveren, including the family from which JUMPSTART was selected. Records received from van Waveren indicate that the family had undergone pedigree selection beginning in the F2 generation and was in the F6 in 1992. Initial selection in this progeny was for wrinkled seed, extreme earliness, small sieve-size, vigorous growth, large pods, and good freezing color. An F6-derived bulk was tested in our yield trials in 1994 and designated for further selection and testing. An F7-derived selection was trialed in 1995; but, in 1996 due to space limitations, a bulk of three selections was trialed. The F7-derived selection that would become JUMPSTART was again trialed in 1997 and selected over its two sister selections. This selection remained in our trials in subsequent years and was entered in outside trials beginning in 1999. There were large trials in customer fields in 2001; but a near complete seed-crop failure in that year delayed the commercial introduction of the variety until the 2004 season.

Initial stocks of the variety were noted to contain some admixture and to be segregating for the degree of marbling on the stipule. Forty apparently typical single plants were harvested and increased in parallel for two years with careful observation for uniformity. Seven of those selections remained without marbling and unquestionably true-to-type over the two years and were bulked as the breeder stock for the variety. Three years of seed production from that stock have remained free of rogues, mixtures, and detectable variants, therefore JUMPSTART is deemed to be uniform and stable.

## EXHIBIT B

STATEMENT OF DISTINCTNESS FOR  
JUMPSTART

JUMPSTART is distinctly different from all other varieties of peas, but is most similar to the variety JUNE. It differs from JUNE in a number of ways, including:

- 1) JUMPSTART has no discernable marbling on the stipules, whereas that of JUNE is prominent.
- 2) JUMPSTART is earlier in season.
- 3) JUMPSTART is smaller in sieve size at 100 tenderometer.
- 4) JUMPSTART has paler green seeds at the processing stage.

The latter three points are illustrated with data from nine years of trailing here at Moses Lake, WA. The trials were all planted with four replicates in a randomized complete block design. The tenderometer readings and sieve-size data are based on four replicates except for the 1999 trial when only three were harvested. The color ratings were made using a 1 – 9 scale with 1 darkest and are generally unreplicated. In some cases there was more than one entry of the variety, representing different seed lots, in a trial and these were averaged. A tenderometer measures the relative maturity of the product. The tenderometer readings are comparisons based on the same date of harvest in every case. The sieve-sizes are adjusted to 100 tenderometer using a proprietary adjustment curve.

Trial	Tenderometer		Sieve-size		Color	
	JMPST	JUNE	JMPST	JUNE	JMPST	JUNE
95ST2	129	106	3.6	3.9	4.0	3.0
97ST2	149	144	3.6	4.1	3.5	3.0
98ST2	133	103.5	3.6	4.2	3.0	3.5
99ST2	114	109	3.5	3.67	4.0	3.0
00ST1	110	105.4	3.6	3.7	5.0	4.0
01ST1	120	112	3.7	4.0	4.0	3.0
02ST1	104	99.3	3.4	3.7	5.0	5.0
03ST1	103	99.8	3.3	3.55	5.0	4.0
04ST1	<u>131</u>	<u>124</u>	<u>3.27</u>	<u>3.68</u>	<u>5.0</u>	<u>4.0</u>
	1093	1003	31.57	34.50	38.5	32.9

For season:

$$s_d^2 = \frac{1615.7 - (8100/9)}{9(8)} = \frac{715.7}{72} = 9.941$$

$$s_d = 3.153$$

$$t = \frac{10.00}{3.153} = 3.17^* \text{ for 9 df}$$

For sieve size:

$$s_d^2 = \frac{1.148 - (8.585/9)}{9(8)} = \frac{0.1941}{72} = 0.002696$$

$$s_d = 0.05192$$

$$t = \frac{0.3256}{0.05192} = 6.27^{***} \text{ for 9 df}$$

For color rating:

$$s_d^2 = \frac{6.50 - (31.36/9)}{9(8)} = \frac{3.484}{72} = 0.048395$$

$$s_d = 0.2200$$

$$t = \frac{0.6222}{0.2200} = 2.83^* \text{ for 9 df}$$

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY  
Pea (*Pisum sativum* L.)

NAME OF APPLICANT (S) Brotherton Seed Co., Inc.	TEMPORARY OR EXPERIMENTAL DESIGNATION FR 309	VARIETY NAME JUMPSTART
ADDRESS (Street and No. or RD No., City, State, Zip Code and Country) 451 S. Milwaukee Ave. PO Box 1136 Moses Lake, WA 98837		FOR OFFICIAL USE ONLY PVPO NUMBER 200500054

PLEASE READ ALL INSTRUCTIONS CAREFULLY: Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g.,  or ) when the number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: RHS. Please answer all questions for your variety; lack of response may delay progress of your application.

## 1. TYPE:

1 = Garden 2 = Field 3 = Edible-podded 4 = Other (Specify) \_\_\_\_\_

## 2. MATURITY:

Node Number of First Bloom:  No. of Days Processing  Heat Units

No. of Days Earlier Than  } 1 = Alaska 2 = Thomas Laxton WR 3 = Little Marvel  
Days Same As  } 4 = Wando 5 = Alderman WR 6 = Australian Winter  
 No. of Days Later Than  } 7 = Other (Specify) \_\_\_\_\_

## 3. PLANT HEIGHT:

cm High  
 cm Shorter Than  Name of Check Cultivar Wando  
Same As  Same as Check Cultivar \_\_\_\_\_  
 cm Taller Than  Name of Check Cultivar Little Marvel

## 4. VINE:

Habit: 1 = Determinate 2 = Indeterminate 3 = Stockiness ① = Slim (Alaska)  
2 = Medium (Thomas Laxton WR)  
3 = Heavy (Alderman)

Branching: 1 = None (Alaska) 2 = 1-2 Branches (Little Marvel) 3 = More than 2 Branches (Dwarf Gray Sugar)

Internodes: 1 = Straight 2 = Zig Zag  Number of Nodes

200500054

## 5. LEAFLETS:

☐ 2 Color: 1 = Light Green (Alaska WR) 2 = Medium Green (Thomas Laxton WR) 3 = Dark Green (Alderman)  
 4 = Other (Specify) \_\_\_\_\_ 5 = Blue Green 6 = Yellow Green 0 = Not Applicable

☐ 3 Wax 1 = None 2 = Light 3 = Medium ☐ 2 slight 1 = Not Marbled 2 = Marbled (Alaska)  
 4 = Heavy 0 = Not Applicable 0 = Not Applicable

☐ 3 Number of Leaflet Pairs: 1 = Not Paired 2 = One 3 = Two 4 = Three or More 0 = Not Applicable

☐ 3 Leaflet Type: 1 = Leafless 2 = Semi 3 = Normal

## 6. STIPULES:

☐ 2 1 = Lacking 2 = Present 1 = Not Clasping ☐ 2 Clasping

☐ 1 1 = Not Marbled 2 = Marbled ☐ 3 Size (Compared with Leaflets): 1 = Smaller 2 = Same 3 = Larger 0 = Not Applicable

☐ 2 Color (Compared with Leaflets): 1 = Lighter 2 = Same 3 = Darker 0 = Not Applicable

☐ 2 Color: 1 = Light Green 2 = Medium Green 3 = Dark Green 4 = Blue Green 5 = Yellow Green 0 = Not Applicable  
 Color Chart Value: 137B

Select the Color Chart Used to Determine the Values:  
☒ Royal Horticulture Society Colour Chart  
☐ Munsell Color Chart  
☐ Other \_\_\_\_\_

☐ 3 Stipule Size: 1 = Small 2 = Medium 3 = Large

Please Provide Comparative Varieties (Check Varieties) and Stipule Color

	Variety (1)	Variety (2)	Variety (3)
Variety Name:	Premium	June	Cabree
Stipule Size:	Same	Same	Same
Color Chart Value:	137B	137A fleck to top	137B

## 7. FLOWER COLOR:

☐ 2 Venation ☐ 1 Standard ☐ 1 Wing ☐ 2 Keel

1 = White 2 = Greenish 3 = Lavender 4 = Purple 5 = Red 6 = Other (Specify) \_\_\_\_\_

## 8. PODS:

☐ 1 Shape: 1 = Straight 2 = Slightly Curved 3 = Curved

☐ 2 End: 1 = Pointed (Alderman) 2 = Blunt (Alaska)

☐ 2 Color: 1 = Light Green (Alaska WR) 2 = Medium Green 3 = Dark Green (Alderman)  
 4 = Other (Specify) \_\_\_\_\_ 5 = Blue 6 = Purple 7 = Yellow

☐ 2 Surface: 1 = Smooth 2 = Rough ☐ 2 Surface: 1 = Shiny 2 = Dull

☐ 2 Borne: 1 = Single 2 = Double 3 = Single and Double 4 = Single, Double & Triple 5 = Double & Triple  
 6 = Triple 7 = Other (Specify) \_\_\_\_\_ 8 = Quad, Single, Double, Triple 9 = Quad

☐ 08 cm Length ☐ 13 mm Width (Between Sutures) ☐ 08 No. Seeds Per Pod

## 9. SEEDS: (95-100 Tenderometer)

☐ 2 Color: 1 = Light Green 2 = Green 3 = Dark Green 4 = Other (Specify) \_\_\_\_\_  
 5 = Yellow 6 = Brown 7 = Yellow Green

	1	2	3	4	5	6	7	8	Average
Seive: %	4	8	27	45	16	0	0	0	3.6



## 9. SEEDS: (Dry-Mature)

2005000541

☐ 4 Shape: 1 = Flattened 2 = Angular 3 = Oval 4 = Rounded

☐ 3 Surface: 1 = Smooth 2 = Dimpled ☐ 2 Surface 1 = Shiny 2 = Dull  
3 = Wrinkled

☐ 1 Color Pattern: 1 = Monocolor 2 = Mottled 3 = Striped 4 = Dotted

☐ 4 Primary Color: } 1 = Creamy White 2 = Cream & Green 3 = Light Green 4 = Medium Green  
☐ Secondary Color: } 5 = Dark Green 6 = Blue Green 7 = Yellow 8 = Brown  
9 = Red 10 = Gray 11 = Black 12 = Salmon  
13 = Purple 14 = Tan 15 = White 16 = Pink  
17 = Yellow Green

☐ Hilum Floor Color: 1 = White 2 = Tan 3 = Black

☐ 1 Cotyledon Color: 1 = Green 2 = Yellow 3 = Orange 4 = Cream

☐ 16 Grams per 100 Seeds

## 10. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Moderately Resistant, 4 = Moderately Susceptible, 5 = Tolerant)

☐ 2 Fusarium Wilt – Race 1

☐ 1 Fusarium Wilt (Near Wilt) – Race 2

☐ 0 Ascochyta Blight

☐ 0 Common Mosaic

☐ 0 Bacterial Blight

☐ 0 Pea Enation Mosaic Virus

☐ 4 Downy Mildew

☐ 0 Seedborne Mosaic Virus

☐ 1 Powdery Mildew

☐ 0 Yellow Bean Mosaic Virus

☐ Other (Specify) \_\_\_\_\_

☐ 1 Leaf Roll Virus

☐ Other (Specify) \_\_\_\_\_

☐ Other (Specify) \_\_\_\_\_

## 11. INSECT: (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Moderately Resistant, 4 = Moderately Susceptible, 5 = Tolerant)

☐ 0 Aphids

☐ 0 Other (Specify) \_\_\_\_\_

## 12. Additional information on any item above, or general comments that may aid in identification:

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)  Brotherton Seed Co., Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  FR 309	3. VARIETY NAME  JUMPSTART
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)  451 S. Milwaukee Ave. PO Box 1136 Moses Lake, WA 98837	5. TELEPHONE (Include area code)  (509) 765-1816	6. FAX (Include area code)  (509) 765-1817
7. PVPO NUMBER  200300054		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

Final selection and breeding of JUMPSTART was done by Teddy L. Lund, an employee of Brotherton Seed Co., Inc., after purchase of the germplasm in 1993. By agreement with Brotherton Seed Co., Inc., all rights to varieties bred by employees are assigned to Brotherton Seed Co., Inc. with no rights retained by the employees.

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.